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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/736,354	12/14/2000	Leonard Sadjadi	2065JB:37332	8926
31782	7590	11/02/2004		EXAMINER
CHAUZA & HANDLEY, L.L.P. PO BOX 140036 IRVING, TX 75014				LA, ANH V
			ART UNIT	PAPER NUMBER
			2636	

DATE MAILED: 11/02/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application No.	Applicant(s)	
	09/736,354	SADJADI, LEONARD	
	Examiner	Art Unit	
	Anh V La	2636	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) Responsive to communication(s) filed on 17 June 2004.
 2a) This action is **FINAL**. 2b) This action is non-final.
 3) Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) Claim(s) 16-63 is/are pending in the application.
 4a) Of the above claim(s) 19,24,28-36 and 50-59 is/are withdrawn from consideration.
 5) Claim(s) 37-49 and 60-63 is/are allowed.
 6) Claim(s) 16-18,26 and 27 is/are rejected.
 7) Claim(s) 20-23 and 25 is/are objected to.
 8) Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) The specification is objected to by the Examiner.
 10) The drawing(s) filed on _____ is/are: a) accepted or b) objected to by the Examiner.
 Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
 Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
 11) The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 a) All b) Some * c) None of:
 1. Certified copies of the priority documents have been received.
 2. Certified copies of the priority documents have been received in Application No. _____.
 3. Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- | | |
|--|---|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892) | 4) <input type="checkbox"/> Interview Summary (PTO-413) |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | Paper No(s)/Mail Date. _____ . |
| 3) <input type="checkbox"/> Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____ . | 5) <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| | 6) <input type="checkbox"/> Other: _____ . |

DETAILED ACTION

1. The lengthy specification has not been checked to the extent necessary to determine the presence of all possible minor errors. Applicant's cooperation is requested in correcting any errors of which applicant may become aware in the specification.

2. The claims are objected to because there are many typographical errors. In claim 16, line 2, the phrase "the improvement" should be changed to - -the circuit--. In claim 40, line 4, the phrase "said rectifier" should be changed - -said second rectifier- - or - - said first rectifier--.

3. Claim 44 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 44 recites the limitation "said current interrupter" in line 2. There is insufficient antecedent basis for this limitation in the claim.

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –
(a) the invention was known or used by others in this country, or patented or described in a printed publication in this or a foreign country, before the invention thereof by the applicant for a patent.
5. Claims 16, and 26-27 are rejected under 35 U.S.C. 102(b) as being anticipated by Scott (US 4,969,063).

Regarding claim 16, Scott clearly discloses a circuit in which a current interrupter is connected to interrupt current to a load, the circuit comprising an indicator 34 providing an indication of whether current is coupled to the load by the current interrupter, a passive network (see figures 2, 4, 6) connected between the current interrupter SB and the indicator 34, the passive network biasing the indicator to provide a first indication of when current is flowing to the load and the second indication of when current is interrupted by the current interrupter in an AC or DC circuit, for positive or negative ground (column 2, lines 35-60, col. 4, lines 15-50, fig. 2, 4, 6).

Regarding claim 26, Scott clearly discloses the circuit being enclosed in a housing 12 which includes the passive network, the housing having a first connection for mounting a circuit breaker directly thereto and a second connection for mounting the housing into a panel, and the housing having an indicator light visible from a forward end of the circuit breaker for providing two distinct light outputs of different color, one color according to whether the circuit breaker is providing power to the load and a second color according to whether the circuit breaker is in a tripped condition (column 2, lines 35-60, col. 4, lines 15-50, fig. 2, 4, 6).

Regarding claim 27, Scott clearly discloses the housing 12 having an L-shaped side profile (see figure 1).

6. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

- (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the

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invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

7. Claims 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Scott in view of Mackenzie (US 5,546,266).

Regarding claim 17, Scott discloses all the claimed subject matter as set forth above in the rejection of claim 16, but does not disclose a bi-color, light emitting diode. Mackenzie teaches the use of a bi-color, light emitting diode (col. 4, lines 1-5). It would have been obvious at the time the invention was made to a person having ordinary skill in the art to include a bi-color, light emitting diode to the circuit of Scott as taught by Mackenzie for the purpose of effectively indicating different statuses of the circuit.

Regarding claim 18, Scott clearly discloses the network biasing the light emitting diode to provide a voltage polarity there-across the first indicator and an opposite voltage polarity in the second (fig. 2, 4, 6).

8. Claims 20-23 and 25 are objected to as being dependent upon a rejected base claim, but would be allowable if rewritten in independent form including all of the limitations of the base claim and any intervening claims.

9. Claims 37-49 and 60-63 are allowed.

10. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP

§ 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Anh V La whose telephone number is (571) 272-2970. The examiner can normally be reached on Mon-Fri from 9:30am to 6:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Jeffery Hofsass can be reached on (571) 272-2981. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).



ANH V. LA
PRIMARY EXAMINER

Anh V La
Primary Examiner
Art Unit 2636

AI
October 29, 2004